

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 5, 31, and 35 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-45 remain pending in this application.

In the Office Action, claims 1-45 continue to be rejected under 35 U.S.C. § 102(b) as being anticipated by Burge et al. (U.S. Patent No. 6,014,638).

As stated in the Amendment of July 6, 2006, Burge relates to a computer system for customizing computer displays based on a user's past navigation history, needs, and preferences (col. 3, lines 45-56). More specifically, Burge discloses creating a profile for a user based on a user's navigation history and including personal data or characteristics, as well as display preferences (col. 6, line 50 – col. 7, line 37). This profile data 36 is analyzed by a determine display characteristics process 30, in conjunction with model parameters 38 (indicating certain user preferences) and general display variables 42 (indicating which display characteristics may be varied), to choose actual display characteristics 46 (col. 7, line 38 – col. 9, line 25). Burge further discloses that the selection of actual display characteristics 46 is based on a predictive model, which determines the content and presentation of the content for a user (col. 9, lines 26-53). Based on the selection of actual display characteristics 46, the process 30 creates a customized display 48 (col. 9, lines 54-60).

Accordingly, in Burge, the same process 30 is used to create a display for every user. In other words, no matter what is displayed to a user, it is the same process 30 that is used to create the display. The process 30 generates different displays for different users in accordance with a predictive model based on the user profile data 36 (which includes navigation history and personal data), model parameters 38 (which includes user preferences), and general display variables 42. Thus, the process 30 is configured with a predictive model,

which is used for every user, but uses at least some unique data (e.g., user profile data 36) to generate the displays for each user.

In the Response to Arguments on pages 6 and 7 of the Office Action, the Examiner disputes the arguments that: Burge does not each executing a customized task according to the identified one or more rules; and Burge fails to teach that at least one customized task being stored in a second area accessible only to the first customer.

These two arguments, however, were not the only arguments presented in the Amendment filed on July 6, 2006. In addition to these arguments, the Applicants also pointed out that the “rules” recited in claim 1 cannot correspond to the user profile data of Burge, and that the “tasks” recited in claim 1 cannot correspond to the displays of Burge. Claim 1 has been amended to more clearly make this distinction.

1. User Profile Data Are Not Rules

Claim 1, as amended, recites that a method for executing an application in a computer system comprises, *inter alia*, identifying one or more rules stored in the computer system applicable to the first application, the rules determining which tasks of the first application are to be performed, the sequence in which the tasks are performed, and what data is used in performing the tasks, each task implementing a modularized set of actions that provide functionality to the first application.

In the rejection relating to this recitation of claim 1, reference is made to col. 4, lines 17-22 and col. 8, lines 10-20 with the purported correspondence being to establishing an account with an on-line service and having a password for accessing the service. Having a password and ID for accessing a service simply has nothing to do with identifying rules which determine which tasks of an application are to be performed, the sequence in which the tasks are performed, and what data is used in performing the tasks. Rather, a password and ID simply permit a user to access the service or application. Quite clearly, the password and ID do not determine which task are performed or in what order they are performed.

Accordingly, Burge clearly fails to disclose or suggest identifying one or more rules stored in the computer system applicable to the first application, the rules determining which tasks of the first application are to be performed, the sequence in which the tasks are performed, and what data is used in performing the tasks.

2. Displays Are Not Tasks

Claim 1 further recites executing in the computer system one or more generic tasks stored in a first area accessible to all customers according to the identified one or more rules, and executing in the computer system at least one customized task according to the identified one or more rules, the at least one customized task being stored in a second area accessible only to the first customer. In addition, claim 1 recites that each task implements a modularized set of actions that provide functionality to the first application.

In the rejection relating to these recitations of claim 1, reference is made to col. 3, line 65 – col. 4, line 17 and col. 5, line 51 – col. 6, line 25 with the purported correspondence being the display of general topics corresponding to the execution of general tasks and a two phase operation corresponding to the execution of the customized task. First, the display of general topics in no way corresponds to the execution of general tasks. Claim 1 recites that each task implements a modularized set of actions that provide functionality to the first application. The display of general topics is not itself a modularized set of actions that provide functionality to the first application. Rather, the display is simply the result of the tasks executed in the process 30.

Second, the two-phase operation has nothing to with a customized task. The two-phase operation in Burge is: 1) the collection of user profile data; and 2) the application of the predictive model to the profile data to create a display that is likely to reflect a shopper's preferences. Although the two-phase operation creates a display tailored to a shopper's preferences, the operation (collection of data and creating a tailored display) does not implement a modularized set of actions that provide functionality to the first application that are stored in an area accessible only to that customer/shopper. Rather, the collection of data and creation of a tailored display is performed for every customer, i.e., the tasks performed to create the tailored display are performed for every customer, and thus are not “customized” and are not stored in an area accessible only to that customer/shopper.

Accordingly, Burge likewise fails to disclose or suggest executing in the computer system one or more generic tasks stored in a first area accessible to all customers according to the identified one or more rules, and executing in the computer system at least one customized task according to the identified one or more rules, the at least one customized task being stored in a second area accessible only to the first customer.

3. **The User Profile Data Are Not Customized Tasks Stored In An Area Accessible Only To That Customer**

Claim 1, as amended, recites that at least one customized task is stored in a second area accessible only to the first customer and that each task (including customized tasks) implements a modularized set of actions that provide functionality to the first application.

In the rejection relating to these recitations of claim 1, reference is made to col. 7, lines 38-49 and col. 8, lines 21-60 with the purported correspondence being the customization according to the user's preferences stored in the database corresponding to the customized task stored in an area accessible only to the first customer. As explained in the prior Amendment, although Burge discloses in these referenced sections that a user may be required to enter a user ID and password to access the service, Burge does not disclose or suggest that any information is stored in an area only accessible to that user. In other words, there is no disclose or suggestion that the user preference data of one user is inaccessible to other users.

However, even if the user profile data of one user is inaccessible to other users, the user profile data is not a customized task. Claim 1 recites that each task implements a modularized set of actions that provide functionality to the first application. The user profile data is simply data used by the predictive model to create tailored displays, but is not itself a modularized set of actions that provide functionality to the first application.

It is very clear that the process 30, which comprises the tasks executed to create the tailored display, is not stored in an area accessible only to a first customer. Rather, the process 30 is accessible to all users, i.e., there are no tasks in the process 30 that are inaccessible to any users.

Accordingly, since the user profile data in Burge cannot be a customized task, and no task of the process 30 is stored in an area accessible only to a first customer, Burge necessarily fails to disclose or suggest at least one customized task is stored in a second area accessible only to the first customer, the customized task implementing a modularized set of actions that provide functionality to the first application.

4. Conclusion

Accordingly, for all of these reasons, claim 1 is patentably distinguishable from Burge. Claims 2-4 are patentably distinguishable from Burge by virtue of their dependence from claim 1, as well as their additional recitations. Claims 5-45 are patentably distinguishable from Burge for reasons analogous to claim 1.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By



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